



Entered on Docket  
March 18, 2010

*Bruce A. Markell*

Hon. Bruce A. Markell  
United States Bankruptcy Judge

**WILDE & ASSOCIATES**  
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09-75870 / 8020767003

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In Re:

Shane A. Duncan and Shawn K. Duncan

Debtors.

BK-S-05-17309-bam

MS Motion No.  
Date: March 2, 2010  
Time: 1:30 PM

Chapter 13

**ORDER RE ADEQUATE PROTECTION**

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefor,

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtors will cure the  
2 post-petition arrearages currently due as follows:

3	1 Monthly Payments(s) at \$1,119.91	\$1,119.91
4	(November 1, 2009 - November 1, 2009)	
5	4 Monthly Payments(s) at \$1,126.98	\$4,507.92
6	(December 1, 2009 - March 1, 2010)	
7	Property Preservation	\$165.00
8	Foreclosure Fees and Costs	\$1,756.48
9	Motion for Relief Filing Fee	\$150.00
10	Attorneys Fees	\$750.00
11	BPO Fee	\$95.00
12	Accrued Late Fees	\$1,330.34
13	Suspense Amount	(\$17.64)
14	Total	\$9,857.01

15 The total arrearage shall be paid in six monthly installments. Payments one  
16 through five (1-5) in the amount of \$1,642.84 shall be in addition to the regular monthly payment  
17 and shall be due on or before the 20th day of the month commencing with the March 20, 2010  
18 payment and continuing throughout and concluding on or before July 20, 2010. The sixth final  
19 payment in the amount of \$1,642.81 shall be paid on or before August 20, 2010.

20 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor  
21 shall give Debtors at least five business days' notice of the time, place and date of sale.

22 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtors shall resume  
23 and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan,  
24 beginning with the April 1, 2010 payment, on Secured Creditor's Trust obligation, encumbering the  
25 subject Property, generally described as 2050 South Idaho Street, Pahrump, NV 89048, and  
26 legally described as follows:

LOT EIGHTY-NINE (89) IN BLOCK SIX(6) OF CALVADA VALLEY UNIT NO. 4B,  
AS SHOWN BY MAP THEREOF RECORDED JULY 5, 1972 AS DOCUMENT NO.  
33044, IN THE OFFICE OF THE COUNTY RECORDER OF NYE COUNTY,  
EXCEPTING THEREFROM ALL OF ITS RIGHT, TITLE AND INTEREST.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make  
any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured  
Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file  
and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of  
Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an

1 attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement. If upon the sixteenth  
2 (16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this  
3 Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may  
4 thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable  
5 State Law, and take any action necessary to obtain complete possession thereof.

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10 Submitted by:

11 WILDE & ASSOCIATES

12  
13 By /S/GREGORY L. WILDE  
14 **GREGORY L. WILDE, ESQ.**  
15 Attorneys for Secured Creditor  
16 212 South Jones Boulevard  
Las Vegas, Nevada 89107

17 APPROVED AS TO FORM & CONTENT:

18 Rick A. Yarnall

19 By *[Signature]* 3-12-10

20 Rick A. Yarnall  
21 Chapter 13 Trustee  
22 701 Bridger Avenue #820  
Las Vegas, NV 89101

*[Signature]*  
David M. Crosby

By *[Signature]*

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